



February 25, 1999

## HOUSE BILL No. 1966

DIGEST OF HB1966 (Updated February 23, 1999 5:24 pm - DI 96)

**Citations Affected:** IC 8-9.

**Synopsis:** Contract carriers transporting railroad employees. Requires contract carriers that transport railroad employees to meet certain license and safety standards.

**Effective:** July 1, 1999.

**Cook**

January 26, 1999, read first time and referred to Committee on Roads and Transportation.  
February 24, 1999, reported — Do Pass.

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HB 1966—LS 7821/DI 94+



February 25, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1966

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 8-9-11 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 1999]:  
4 **Chapter 11. Contract Carriers Transporting Railroad**  
5 **Employees**  
6 **Sec. 1. This chapter applies to a contract carrier that transports**  
7 **an employee of a railroad under the terms of a contractual**  
8 **agreement with the railroad.**  
9 **Sec. 2. As used in this chapter, "contract carrier" has the**  
10 **meaning set forth in IC 8-2.1-17-5.**  
11 **Sec. 3. A contract carrier shall do the following:**  
12 **(1) Require each driver who transports railroad employees to**  
13 **have a valid public passenger chauffeur's license under**  
14 **IC 9-24-5-1.**  
15 **(2) Provide drug screening under the provisions of the federal**  
16 **motor carrier safety regulations (49 CFR 40 et seq.) for each**  
17 **driver who transports railroad employees.**

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(3) Conduct a background investigation of each person who transports railroad employees.

(4) Require an application for employment from each prospective driver.

(5) Provide to the railroad an annual review of the driving record of each driver who transports a railroad employee.

(6) Maintain a personnel file that includes a driving record for each driver who transports a railroad employee.

(7) Limit the hours of service by a driver who transports a railroad employee to:

(A) twelve (12) hours of vehicle operation per day;

(B) fifteen (15) hours of on duty service per day; and

(C) seventy (70) hours of on duty service in a seven (7) consecutive day period.

(8) Require a driver who has:

(A) twelve (12) hours of vehicle operation per day; or

(B) fifteen (15) hours of on duty service per day;

to have at least eight (8) consecutive hours off duty before operating a vehicle again.

Sec. 4. (a) A vehicle used by a contract carrier must be maintained in the safe and proper operating condition recommended for that particular vehicle.

(b) A contract carrier shall maintain a record of maintenance and repair for each vehicle used to transport railroad employees.

(c) A contract carrier who transports a railroad employee must implement an inspection, maintenance, and repair system to care for all motor vehicles operated. The system must provide for a complete inspection of a vehicle used to transport railroad employees at least one (1) time every ninety (90) days.

(d) The driver of a vehicle used to transport railroad employees must inspect the vehicle at the beginning and end of each day the vehicle transports railroad employees. Each inspection must include the completion of an inspection checklist. The inspection checklist must be retained by the contract carrier in the maintenance record required under subsection (b) for six (6) months after the date of the inspection.

(e) A contract carrier must repair any defect that would impair the safe operation of a vehicle before the vehicle is used to transport railroad employees.

Sec. 5. A driver transporting railroad employees for a contract carrier must:

(1) have a valid public passenger chauffeur's license under



1       **IC 9-24-5-1; and**

2       **(2) complete a daily record that complies with the**  
3       **requirements of the federal motor carrier safety regulations**  
4       **(49 CFR 395.8) and includes the duty status reporting the**  
5       **total duty time of the driver.**

6       **Sec. 6. The Indiana department of revenue motor carrier**  
7       **services division shall adopt rules under IC 4-22-2 to implement**  
8       **and administer this chapter.**

9       **Sec. 7. A person who violates this chapter commits a Class C**  
10      **infraction.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1966, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

COOK, Chair

Committee Vote: yeas 11, nays 2.

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